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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 001167

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SUBJECT: TURKEY: BUREAUCRATIC ELITES CAUGHT HOLDING HANDS IN THE DARK

Classified By: Political Counselor Janice G. Weiner, for Reasons 1.4 (b, d)

¶1. (C) SUMMARY. Evidence of secret alliances among Turkey's unelected elites, including elements of the military, judiciary, and bureaucracy, emerged in recent days. Although Turks have long accepted as fact the existence of an alleged "deep state" network pulling strings behind the scenes, concrete evidence has been scarce. Now, revelations of a meeting between a Constitutional Court judge and the soon-to-be Chief of Defense have raised flags that the deep state is more than legend. The controversy surrounding the meeting -- and non-controversy in some quarters -- is further evidence of Turkey's polarization and may have a corrosive effect on the credibility of the highest court. END SUMMARY.

¶2. (SBU) "Taraf" daily headlined a report June 13 that Constitutional Court Vice Chairman Osman Paksut paid a hush-hush visit to Land Forces Commander General Ilker Basbug, slated to become CHOD in August. The March 4 meeting occurred ten days before the chief prosecutor filed the closure case in the Constitutional Court against the ruling Justice and Development Party (AKP). Taraf claimed the entire floor where the general's office is located was cleared and security cameras turned off prior to Paksut's arrival for the one hour-plus meeting. According to Enis Berberoglu of Hurriyet daily, Paksut twice denied the meeting had taken place; after the Taraf story, however, Paksut explained he had visited the general to congratulate him for the military's late February cross-border ground operation into Northern Iraq and offer his condolences on the loss of 27 troops. He also suggested that the emergence of this story, three months after the fact, indicated he had been under surveillance at the time, and claimed there were efforts to convince the public that ties exist between the Court and the Turkish General Staff (TGS).

¶3. (SBU) General Basbug on June 14 confirmed the meeting has happened but stated its purpose was limited to discussing the CBO; he denied other allegations. In an announcement, the TGS described the meeting as "within the framework of civilized friendship." The TGS criticized Taraf for presenting the meeting "as if (Paksut and Basbug) met secretly for a crime, although these organizations were not involved in a crime at all." It also accused the newspaper of resorting to unethical means by claiming its source was within the TGS. The TGS charged that a campaign was being conducted to tarnish the image of the Turkish Armed Forces and its commanders, adding it would file legal charges.

¶4. (SBU) Subsequent media coverage revealed a striking split: mainstream papers (including Hurriyet, which caught Paksut in his initial denials) declared the story not worth reporting and quickly ceased coverage; smaller and more fringe media, however, were in a furor. Ultra-nationalist paper Yeni Cag decried a disinformation campaign against the military. Writers in Yeni Safak, Star, Bugun, and Aksam papers -- and of course Taraf -- suggested the meeting, the lack of transparency, and the threats of legal action against critics were inappropriate in a democracy.

¶5. (C) Former justice Mustafa Bumin told us he does not accept allegations of cooperation between Paksut and Basbug. Bumin said in all his years as a top judge -- including five as President of the Constitutional Court (2000-2005) -- he had never received a single request from the military, although brief official visits were very normal. However, he hinted at his disapproval of this controversial meeting, suggesting we should expect many other "incidents" from Paksut, who as a former career diplomat "has a different type of character."

¶6. (C) COMMENT. Turks have long believed the deep state exists. The Paksut-Basbug meeting is one of the few acknowledgments of shady inter-institutional liaisons -- made all the more so by Paksut's multiple denials before his admission. Increasingly over the past year, the judiciary,

ANKARA 00001167 002 OF 002

often encouraged by the opposition Republican People's Party (CHP) and perhaps others, has stepped in to act as a check on the elected government through rulings, public announcements, or superficially routine speeches. This meeting -- which occurred ten days before the chief prosecutor initiated closure proceedings against AKP -- is being evaluated in that light. Secrecy and defensiveness surrounding a "routine" meeting demonstrate the disregard elements of the bureaucratic elite have for democratic boundaries and public transparency. The unnatural silence of mainstream media highlights a split between those who are comfortable with "guardianship democracy" and those who find themselves on the wrong end of it. Even some AKP critics express disgust over the incident. While the furor has died down, the bitter taste left behind fuels suspicions of hidden bureaucratic alliances and the high court's role in curbing the elected government. END COMMENT.

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